Writ Petition No.784 (M/S)/2003

Hon'ble Rajesh Tandon –J

Heard Sri S.K. Jain, learned Counsel for the petitioners and learned Standing Counsel for the respondents.

The petitioners filed a suit for partition under Section 176 of U.P. Zamindari Abolition and land Reforms act, 1950. Thereafter the respondents No.3 & 4 filed a suit for declaration under Section 229 (B) of the U.P. Zamindari Abolition and Land Reforms Act, 1950.

On 06.10.1993, Assistant Commissioner (Judicial), Kumaon Region, Nainital remanded both the cases with the direction for deciding a fresh.

I find no merit in the writ petition.

However, the trial court is directed to dispose of the suit within two months.

Subject to the aforesaid observations, writ petition is disposed of.

24.04.2006

Jain